

UNOFFICIAL VERSION

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THURSDAY, MARCH 2, 2017

THIRTEENTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Dr. Chuck Groover of Victory Baptist Church in Mt. Juliet, Tennessee, a guest of Senator Beavers.

PLEDGE OF ALLEGIANCE

Senator Beavers led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Beavers led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

STANDING COMMITTEE REPORTS

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 384; and Senate Joint Resolutions Nos. 91 with amendment and 111.

WATSON, Chairperson
February 28, 2017

The Speaker announced that he had referred Senate Bill No. 384; and Senate Joint Resolutions Nos. 91 with amendment and 111 to the Committee on Calendar.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 228 with amendment,

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231, 296 with amendment, 322, 390, 417, 426, 463, 681, 694, 889 and 1201; also, recommend that Senate Bills Nos. 127 with amendment and 138 with amendment be referred to Committee on Finance, Ways and Means.

YAGER, Chairperson
February 28, 2017

The Speaker announced that he had referred Senate Bills Nos. 228 with amendment, 231, 296 with amendment, 322, 390, 417, 426, 463, 681, 694, 889 and 1201 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 127 with amendment and 138 with amendment to the Committee on Finance, Ways and Means.

COMMERCE AND LABOR

MR. SPEAKER: Your Committee on Commerce and Labor begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 116 with amendment, 428 with amendment and 461; also, recommend that Senate Bill No. 237 be referred to Committee on Energy, Agriculture and Natural Resources.

JOHNSON, Chairperson
February 28, 2017

The Speaker announced that he had referred Senate Bills Nos. 116 with amendment, 428 with amendment and 461 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 237 to the Committee on Energy, Agriculture and Natural Resources.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 221 with amendment, 285, 433, 551 with amendment, 690 and 1229; Senate Joint Resolution No. 57 with amendment; and Senate Resolution No. 16; also, recommend that Senate Bill No. 1206 be referred to Committee on Finance, Ways and Means.

KELSEY, Chairperson
February 28, 2017

The Speaker announced that he had referred Senate Bills Nos. 221 with amendment, 285, 433, 551 with amendment, 690 and 1229; Senate Joint Resolution No. 57 with amendment; and Senate Resolution No. 16 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 1206 to the Committee on Finance, Ways and Means.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 65, 101, 108 and 242 with

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amendment; also, recommend that Senate Bill No. 571 be referred to Committee on Education; Senate Bill No. 887 with amendment be referred to Committee on Judiciary; and Senate Bill No. 1217 with amendments be referred to Committee on Commerce and Labor.

BELL, Chairperson
March 1, 2017

The Speaker announced that he had referred Senate Bills Nos. 65, 101, 108 and 242 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 571 to the Committee on Education.

The Speaker announced that he had referred Senate Bill No. 887 with amendment to the Committee on Judiciary.

The Speaker announced that he had referred Senate Bill No. 1217 with amendments to the Committee on Commerce and Labor.

HEALTH AND WELFARE

MR. SPEAKER: Your Committee on Health and Welfare begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 709 with amendment; and Senate Joint Resolution No. 35.

CROWE, Chairperson
March 1, 2017

The Speaker announced that he had referred Senate Bill No. 709 with amendment; and Senate Joint Resolution No. 35 to the Committee on Calendar.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 274 with amendment, 333 with amendment, 362 with amendment and 1233 with amendment.

KELSEY, Chairperson
March 1, 2017

The Speaker announced that he had referred Senate Bills Nos. 274 with amendment, 333 with amendment, 362 with amendment and 1233 with amendment to the Committee on Calendar.

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 341 with amendment, 393 with amendment, 524 with amendment, 994 with amendment, 995, 1013, 1195 with amendment, 1231 and 1232 with amendments; and Senate Joint Resolutions Nos. 83, 107, 123, 124 and 125.

GRESHAM, Chairperson
March 1, 2017

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The Speaker announced that he had referred Senate Bills Nos. 341 with amendment, 393 with amendment, 524 with amendment, 994 with amendment, 995, 1013, 1195 with amendment, 1231 and 1232 with amendments; and Senate Joint Resolutions Nos. 83, 107, 123, 124 and 125 to the Committee on Calendar.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 1430** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILL

The Speaker announced the following bill was filed for introduction and passed first consideration:

Senate Bill No. 1430 by Senator Bell.

Benton -- Subject to local approval, changes the name of the municipality from "town" to "city". Amends Chapter 417 of the Private Acts of 1951; as amended.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 227, 278 and 293** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 227 -- Welfare -- As introduced, requires the Tennessee education lottery corporation to provide information to the department of human services for each person who wins a prize of more than \$5,000; requires the department of human services to conduct data matches against certain databases to determine SNAP eligibility; requires the bureau of TennCare to verify enrollee information against certain databases once an automated, electronic eligibility system is implemented. Amends TCA Title 4; Title 71, Chapter 5, Part 1 and Title 71, Chapter 5, Part 3.

House Bill No. 278 -- Food and Food Products -- As introduced, adds beekeeping to practices included in the Tennessee Community Gardening Act. Amends TCA Title 43 and Title 44, Chapter 15.

House Bill No. 293 -- Motor Vehicles, Titling and Registration -- As introduced, authorizes motor vehicles registered as antique motor vehicles to be driven for general transportation purposes on weekends and federal holidays and not just on weekends. Amends TCA Section 55-4-111.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bill No. 1429** be passed on second consideration and be referred to the appropriate committee or held on the Clerk's desk, which motion prevailed.

SENATE BILL ON SECOND CONSIDERATION

The Speaker announced the following bill passed second consideration and was referred to the appropriate committee or held on the Clerk's desk:

Senate Bill No. 1429 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 162 through 180** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 162 by Senator Southerland.
Memorials, Recognition -- Block Jocks of Hal Henard Elementary, 1st place, LEGO League state tournament.

Senate Joint Resolution No. 163 by Senator Southerland.
Memorials, Academic Achievement -- Avery Taylor, Congress of Future Science and Technology Leaders.

Senate Joint Resolution No. 164 by Senator Roberts.
Memorials, Personal Achievement -- Jacob Garrison, Eagle Scout.

Senate Joint Resolution No. 165 by Senator Roberts.
Memorials, Personal Achievement -- Frank Cox, Eagle Scout.

Senate Joint Resolution No. 166 by Senator Roberts.
Memorials, Personal Achievement -- Hunter Bilyeu, Eagle Scout.

Senate Joint Resolution No. 167 by Senator Roberts.
Memorials, Personal Achievement -- Dylan Bilyeu, Eagle Scout.

Senate Joint Resolution No. 168 by Senator Jackson.
Memorials, Death -- Chuck McGill.

Senate Joint Resolution No. 169 by Senator Bailey.
Memorials, Death -- A.C. Clark.

Senate Joint Resolution No. 170 by Senator Johnson.
Memorials, Recognition -- Mac Wiseman.

Senate Joint Resolution No. 171 by Senator Johnson.
Memorials, Recognition -- Hunter Garstin.

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Senate Joint Resolution No. 172 by Senator Massey.
Memorials, Sports -- Bearden High School Dance Team.

Senate Joint Resolution No. 173 by Senator Ketron.
Memorials, Public Service -- Russell N. Perkins.

Senate Joint Resolution No. 174 by Senator Southerland.
General Assembly, Confirmation of Appointment -- Angela Box, Tennessee Fish and Wildlife Commission.

Senate Joint Resolution No. 175 by Senator Southerland.
General Assembly, Confirmation of Appointment -- Tom Midyett, State Forestry Commission.

Senate Joint Resolution No. 176 by Senator Southerland.
General Assembly, Confirmation of Appointment -- Kent Woods, Tennessee Fish and Wildlife Commission.

Senate Joint Resolution No. 177 by Senator Southerland.
General Assembly, Confirmation of Appointment -- Brian McLerran, Tennessee Fish and Wildlife Commission.

Senate Joint Resolution No. 178 by Senator Yager.
General Assembly, Confirmation of Appointment -- Charles M. Traughber, Jr., Tennessee Ethics Commission.

Senate Joint Resolution No. 179 by Senator Yager.
General Assembly, Confirmation of Appointment -- George Jaynes, Tennessee Ethics Commission.

Senate Joint Resolution No. 180 by Senator Norris.
General Assembly, Confirmation of Appointment -- Jay Robinson, Tennessee Education Lottery Corporation.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 32, 36, 142, 144 through 149 and 155**; and **Senate Joint Resolutions Nos. 158 through 160** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 32 -- Naming and Designating -- "Child Abuse Prevention Month," April 2017.

The Speaker announced that he had referred House Joint Resolution No. 32 to the Committee on Judiciary.

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House Joint Resolution No. 36 -- General Assembly, Statement of Intent or Position -- Expresses support for the Nation of Israel.

The Speaker announced that he had referred House Joint Resolution No. 36 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 142 -- Memorials, Professional Achievement -- Jeannie Seely, 50-year member of the Grand Ole Opry.

The Speaker announced that he had referred House Joint Resolution No. 142 to the Committee on Calendar.

House Joint Resolution No. 144 -- Memorials, Professional Achievement -- Mary Jane Kirkham, Central High School Teacher of the Year.

The Speaker announced that he had referred House Joint Resolution No. 144 to the Committee on Calendar.

House Joint Resolution No. 145 -- Memorials, Public Service -- Stancil Ford.

The Speaker announced that he had referred House Joint Resolution No. 145 to the Committee on Calendar.

House Joint Resolution No. 146 -- Memorials, Recognition -- Senator Doug Overbey, Blount County Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 146 to the Committee on Calendar.

House Joint Resolution No. 147 -- Memorials, Professional Achievement -- Jacob O'Quinn, 2016 Firefighter of the Year, New Market Fire and Rescue Squad.

The Speaker announced that he had referred House Joint Resolution No. 147 to the Committee on Calendar.

House Joint Resolution No. 148 -- Memorials, Interns -- Jason Rogers.

The Speaker announced that he had referred House Joint Resolution No. 148 to the Committee on Calendar.

House Joint Resolution No. 149 -- Memorials, Death -- Dr. Gerald Schulman.

The Speaker announced that he had referred House Joint Resolution No. 149 to the Committee on Calendar.

House Joint Resolution No. 155 -- Memorials, Recognition -- Marvin Keener, Rhea County Republican of the Year.

The Speaker announced that he had referred House Joint Resolution No. 155 to the Committee on Calendar.

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Senate Joint Resolution No. 158 -- Memorials, Recognition -- Welcome Home Vietnam Veterans Celebration.

The Speaker announced that he had referred Senate Joint Resolution No. 158 to the Committee on Calendar.

Senate Joint Resolution No. 159 -- Memorials, Personal Occasion -- J.D. Barger, 100th Birthday.

The Speaker announced that he had referred Senate Joint Resolution No. 159 to the Committee on Calendar.

Senate Joint Resolution No. 160 -- Memorials, Sports -- Dresden High School, 2016 Division I Class 1A Football State Champions.

The Speaker announced that he had referred Senate Joint Resolution No. 160 to the Committee on Calendar.

NOTICE

COMMITTEE ON CALENDAR'S FIRST REPORT ON QUALIFIED ANNUAL EVENTS FOR 2017-2018

Pursuant to Rule 76(1), the report was received and filed with the Clerk.

CONSENT CALENDAR

Senate Joint Resolution No. 139 -- Memorials, Personal Occasion -- Elinor Jayne Collins, 90th Birthday.

Senate Joint Resolution No. 140 -- Memorials, Public Service -- Marissa Countess.

Senate Joint Resolution No. 142 -- Memorials, Retirement -- Linda Penny.

Senate Joint Resolution No. 143 -- Memorials, Recognition -- Food City 500 Monster Energy NASCAR Cup Series Race.

Senate Joint Resolution No. 144 -- Memorials, Recognition -- Food City 300 NASCAR Series Race at Bristol Motor Speedway, 35th Anniversary.

Senate Joint Resolution No. 145 -- Memorials, Recognition -- 1927 Bristol Sessions, 90th Anniversary.

Senate Joint Resolution No. 146 -- Memorials, Recognition -- Roan Mountain State Park, State Park of the Year.

Senate Joint Resolution No. 147 -- Memorials, Personal Achievement -- Mallory Fundora, Prudential Spirit of Community Award.

Senate Joint Resolution No. 148 -- Memorials, Recognition -- Blackman High School cheerleading squad, National High School Cheerleading Champions.

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Senate Joint Resolution No. 149 -- Memorials, Death -- Lt. Colonel Robert Patrick Gleason.

Senate Joint Resolution No. 150 -- Memorials, Recognition -- Akima Club, 70th Anniversary.

Senate Joint Resolution No. 151 -- Memorials, Death -- Rachel Rose Parker.

Senate Joint Resolution No. 152 -- Memorials, Recognition -- Bonita Stinecipher Irwin.

Senate Joint Resolution No. 153 -- Memorials, Public Service -- Linda Vannatta.

Senate Joint Resolution No. 154 -- Memorials, Personal Achievement -- Jackson Sevier Phillips, Eagle Scout.

Senate Joint Resolution No. 156 -- Memorials, Retirement -- Lieutenant Lucious Howard, Tennessee Highway Patrol.

Senate Joint Resolution No. 157 -- Memorials, Personal Occasion -- Ernest "Turnip" Rose, 100th Birthday.

Senate Resolution No. 19 -- Memorials, Recognition -- James L. Clayton, 2017 Governor's Arts Leadership Award.

House Joint Resolution No. 135 -- Memorials, Recognition -- James Halford.

House Joint Resolution No. 136 -- Memorials, Sports -- Rick Insell, Women's Basketball Hall of Fame.

House Joint Resolution No. 137 -- Memorials, Recognition -- Mayor Kelvin O. Buck of Holly Springs, Mississippi.

House Joint Resolution No. 138 -- Memorials, Recognition -- Mayor Megan Barry.

House Joint Resolution No. 139 -- Memorials, Recognition -- Katherine G. Johnson.

House Joint Resolution No. 140 -- Memorials, Professional Achievement -- Bev Johnson, 30th Anniversary with 1070 WDIA-AM.

House Joint Resolution No. 141 -- Memorials, Recognition -- Deanie Parker.

House Joint Resolution No. 145 -- Memorials, Public Service -- Stancil Ford.

Senator Massey moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle,

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Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 71 -- Sunset Laws -- As introduced, extends the department of general services three years to June 30, 2020; requires the department to report back to the committee concerning the findings in its 2016 performance audit report. Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 3.

Senate Bill No. 71 passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 90 -- Sunset Laws -- As introduced, extends the state procurement commission to June 30, 2020. Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 56.

Senate Bill No. 90 passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 223 -- Motor Vehicles, Titling and Registration -- As introduced, authorizes motor vehicles registered as antique motor vehicles to be driven for general transportation purposes on weekends and federal holidays and not just on weekends. Amends TCA Section 55-4-111.

On motion, Senate Bill No. 223 was made to conform with **House Bill No. 293**.

On motion, House Bill No. 293, on same subject, was substituted for Senate Bill No. 223.

On motion of Senator Bailey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 293** passed its third and final consideration by the following vote:

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Ayes 32
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 607 -- Guardians and Conservators -- As introduced, renames Chapter 1062 of the Public Acts of 2016 to be the "Falk Act". Amends Chapter 1062 of the Public Acts of 2016.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 1 in its entirety and substituting instead the following:

SECTION 1. Section 1 of Chapter 1062 of the Public Acts of 2016 is amended by deleting the language "Campbell/" and substituting instead the language "Travis and Debby Campbell/".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 607**, as amended, passed its third and final consideration by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Bill No. 739 -- Alcoholic Beverages -- As introduced, designates Fresh Hospitality located in Nashville as an urban park center for purposes of consumption on the premises. Amends TCA Title 57, Chapter 4, Part 1 and Title 57, Chapter 5.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(38), is amended by adding the following as a new subdivision (N):

(N) "Urban park center" also means:

(i) A commercially operated facility having all of the following characteristics:

(a) The facility is located on land that is between one and one-half (1½) acres and that is adjacent to land owned by the electric power board of a county with a metropolitan form of government;

(b) The facility has at least two (2) permanent structures constructed before 1978 and at least twenty-five thousand square feet (25,000 sq. ft.) of climate controlled space;

(c) The facility formerly housed a custom car design business that had been serving the automotive community since 1968;

(d) The facility is located in a county with a metropolitan form of government having a population of not less than six hundred thousand (600,000) according to the 2010 federal census or any subsequent federal census;

(e) The facility is approximately five thousand ninety feet (5,090') to the northeast of a federal interstate highway;

(f) The facility is approximately five thousand nine hundred sixty feet (5,960') to the northwest of a navigable waterway; and

(g) The facility is approximately three hundred fifty feet (350') to the southwest from the main building of a high school that was originally constructed before 1933;

(ii) The premises of any facility described under this subdivision (38)(N) means any or all of the property that constitutes the facility, including all buildings and outdoor areas between and around those buildings. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. An urban park center, as described in subdivision (38)(N)(i), may grant a franchise to one (1) or more entities authorizing such an entity to provide food or beverages, including alcoholic beverages, on its premises. A franchisee is deemed to be an urban park center under this subdivision (38)(N) and shall apply for and hold a license under this subdivision (38)(N). The commission shall enforce the provisions of chapter 4 of this title against each franchisee as a licensee under this subdivision (38)(N) and shall not cite, penalize, or take any other adverse action against a franchisee for any violation committed by another franchisee on the licensed premises. There is a rebuttable presumption of liability for a specific franchisee for any underage sale based on the specific type of glass or the brand on the cup provided to the minor. In the absence of a glass or cup identifying the franchisee, the commission may determine which franchisee to cite for an underage sale. If the commission is unable to determine which franchisee committed the violation after conducting a reasonable investigation, the commission may issue a citation to one (1) or more franchisees that share the common space where the violation occurred;

(iii) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of any facility described under this subdivision (38)(N) means, for the purpose of obtaining a beer permit, any or all of the property that constitutes the facility, including all buildings and outdoor areas between and around those buildings. The beer permittee shall designate the premises to be licensed by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing. An urban park center, as described in subdivision (38)(N)(i), may grant a franchise to one (1) or more entities authorizing such an entity to provide food or beverages, including beer, on its premises. A franchisee is deemed to be an urban park center under this subdivision (38)(N) and shall apply for and hold a beer permit. The beer board shall enforce the provisions of chapter 5 of this title against each franchisee as a beer permittee and shall not cite, penalize, or take any other adverse action against a franchisee for any violation committed by another franchisee on the licensed premises. There is a rebuttable presumption of liability for a specific franchisee for any underage sale based on the specific type of glass or the brand on the cup provided to the minor. In the absence of a glass or cup identifying the franchisee, the beer board may determine which franchisee to cite for an underage sale. If the beer board is unable to determine which franchisee committed the violation after conducting a reasonable investigation, the beer board may issue a citation to one (1) or more franchisees that share the common space where the violation occurred; and

(iv) The licensee described in subdivision (38)(N)(i) and any franchisee licensed under this subdivision (38)(N) may store beer and alcoholic beverages in a central storage location in the facility. Each licensee shall store its inventory of beer and alcoholic beverages in a separately locked cage or other storage area.

SECTION 2. Tennessee Code Annotated, Section 57-4-301(b)(3), is amended by deleting "57-4-102(38)(G)-(K)" and substituting instead "§ 57-4-102(38)(G)-(K) and (N)".

SECTION 3. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 739**, as amended, passed its third and final consideration by the following vote:

Ayes	25
Noes	5
Present, not voting ...	1

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Yager, Yarbrow and Mr. Speaker McNally--25.

Senators voting no were: Beavers, Green, Haile, Hensley and Southerland--5.

Senator present and not voting was: Bell--1.

A motion to reconsider was tabled.

Senate Bill No. 740 -- Alcoholic Beverages -- As introduced, designates The Plaza in Nashville as a premier type tourist resort for purposes of on-premises consumption of alcoholic beverages. Amends amend TCA.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(26), is amended by adding the following new subdivision (PPPP):

(PPPP)

(i) A commercially operated facility having all of the following characteristics:

(a) The facility is located on approximately six (6) acres of land that is adjacent to two (2) permanent structures which are owned by the same owner of the facility having approximately seventy thousand square feet (70,000 sq. ft.) of retail and office commercial space, and is located no more than three hundred feet (300') from a federal highway;

(b) The facility has at least one (1) permanent structure with approximately sixty thousand square feet (60,000 sq. ft.) located no more than five hundred feet (500') from a federal highway and less than two thousand five hundred feet (2,500') south of a commercial railroad track. The structure is not less than five hundred twenty-five feet (525') and not more than five hundred seventy-five feet (575') above sea level. The structure was renovated in 2016 and 2017;

(c) The facility formerly housed a supermarket business that closed in 2012;

(d) The facility is approximately two thousand two hundred feet (2,200') to the south of a facility that is accredited by the Association of Zoos and Aquariums that is open to the public;

(e) The facility is located no more than seven thousand feet (7,000') from a railyard of a Class 1 railroad, as defined by the surface transportation board of the United States department of transportation; and

(f) The facility is located in a county with a metropolitan form of government having a population of not less than five hundred thousand (500,000) according to the 2010 federal census or any subsequent federal census;

(ii) The premises of any facility licensed under this subdivision (26)(PPPP) means any or all of the property that constitutes the facility. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The entire designated premises is covered under one (1) license issued under this subdivision. The licensee and any other entity in the facility licensed under chapter 4 of this title may, upon filing notice with the commission, share a common licensed area on the premises of the facility. The commission shall enforce the provisions of chapter 4 of this title against each licensee on the premises of the facility and shall not cite, penalize, or take any other adverse action against a licensee for any violation committed by another licensee within a common licensed area on the premises of the facility. There is a rebuttable presumption of liability for a specific licensee for any underage sale based on the specific type of glass or the brand on the cup provided to the minor. In the absence of a glass or cup identifying the licensee, the commission may determine which licensee to cite for an underage sale. If the commission is unable to determine which licensee committed a violation after conducting a reasonable investigation, the commission may issue a citation to one (1) or more licensees that share the common licensed area where the violation occurred;

(iii) The licensee and any other licensed entity in the facility that holds a license under this chapter may store beer and alcoholic beverages in a central storage location in the facility. Each licensed entity shall store its inventory of beer and alcoholic beverages in a separately locked cage or other storage area;

(iv) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of any facility licensed under this subdivision (26)(PPPP) means, for beer permitting purposes, any or all of the property that constitutes the facility. The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing. The entire designated premises is covered under one beer permit issued under chapter 5 of this title. The beer permittee and any other entity in the facility that holds a beer permit issued by the local beer board may, upon filing notice with the beer board, share a common permitted area on the premises of the facility. The beer board shall enforce the provisions of chapter 5 of this title against each permittee on the premises of the facility and shall not cite, penalize, or take any other adverse action against a permittee for any violation committed by another permittee within a common permitted area on the premises of the facility. There is a rebuttable presumption of liability for a specific permittee for any underage sale based on the specific type of glass or the brand on the cup provided to the minor. In the absence of a glass or cup identifying the permittee, the beer board may determine which permittee to cite for an underage sale. If the beer board is unable to determine which permittee committed a violation after conducting a reasonable investigation, the beer board may issue a citation to one (1) or more permittees that share the common permitted area where the violation occurred;

(v) Notwithstanding § 57-3-806(f), the owner of the facility may prohibit or restrict, through its lease or other agreements with other businesses, the on-premise sale of beer or alcoholic beverages by other businesses at the facility;

(vi) Notwithstanding § 57-4-101(n), table service is not required for the service of alcoholic beverages or beer as authorized by this subdivision (26)(PPPP); and

(vii) The facility, landlord, or any licensee shall provide periodic security for the entire licensed premises.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 740**, as amended, passed its third and final consideration by the following vote:

Ayes	25
Noes	5

Senators voting aye were: Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Yager, Yarbro and Mr. Speaker McNally--25.

Senators voting no were: Beavers, Green, Haile, Hensley and Southerland--5.

A motion to reconsider was tabled.

MR. SPEAKER MCNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Speaker Pro Tempore Tracy.

Senate Bill No. 809 -- Teachers, Principals and School Personnel -- As introduced, moves up the deadline for the state board of education to release the teacher preparation training report from November 1 of each year to February 1 of each year. Amends TCA Title 49, Chapter 5.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-5-108(f)(2), is amended by deleting the language "November 1" and substituting instead the language "February 15".

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

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On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 809**, as amended, passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

Senate Bill No. 848 -- Alcoholic Beverages -- As introduced, authorizes the sale of alcoholic beverages for on premises consumption at a location in Davidson County. Amends TCA Title 57, Chapter 4.

Senate Bill No. 848 passed its third and final consideration by the following vote:

Ayes	24
Noes	3

Senators voting aye were: Bowling, Briggs, Crowe, Gardenhire, Green, Gresham, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tracy, Yager, Yarbrow and Mr. Speaker McNally--24.

Senators voting no were: Beavers, Hensley and Southerland--3.

A motion to reconsider was tabled.

Senate Bill No. 912 -- Driver Licenses -- As introduced, allows a victim of identity theft to apply for and receive a new driver license with a new distinguishing number upon presenting proof of the crime, including a law enforcement report that lists the applicant as a victim of identity theft; allows the department of safety to charge a reasonable fee for reissuance of a driver license due to identity theft. Amends TCA Section 39-14-150 and Title 55, Chapter 50.

Senate Bill No. 912 passed its third and final consideration by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--33.

A motion to reconsider was tabled.

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Senate Joint Resolution No. 48 -- Constitutional Conventions -- Appoints commissioners to the planning convention for a prospective Article V convention.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the following language in the first resolving clause:

Tennessee's delegation to the Tennessee Planning Convention shall be composed of five commissioners as follows: Senator Mike Bell, Senator Brian Kelsey, Senator Bill Ketron, Representative Sheila Butt, and Representative Dennis Powers.

and substituting instead the following:

Tennessee's delegation to the Tennessee Planning Convention shall be composed of seven commissioners as follows: Senator Mike Bell, Senator Brian Kelsey, Senator Bill Ketron, Representative Sheila Butt, Representative Dennis Powers, Representative G.A. Hardaway, and Representative Jay Reedy.

On motion, Amendment No. 1 was adopted.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 2

AMEND by adding the following sentence to the end of the second resolving clause:

It is the intention of the General Assembly that an amount not to exceed fifty thousand dollars (\$50,000) be appropriated in the general appropriations act to cover any such costs.

Senator Bell moved that **Senate Joint Resolution No. 48**, as amended, be placed on the Calendar for Monday, March 6, 2017, which motion prevailed.

RECALL OF BILL

On motion of Mr. Speaker McNally, **Senate Bill No. 127** was recalled from the Committee on Finance, Ways and Means.

REFERRAL OF BILL

Mr. Speaker McNally moved that Senate Bill No. 127 be referred to the Committee on Calendar, which motion prevailed.

MOTION

On motion of Senator Crowe, his name was added as prime sponsor of **Senate Bill No. 165**.

On motion of Senator Kelsey, his name was removed as sponsor of **Senate Bill No. 165**.

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On motion of Senator Crowe, his name was added as sponsor of **Senate Bill No. 631; and Senate Joint Resolutions Nos. 143, 144 and 145.**

On motion of Senator Watson, his name was added as sponsor of **Senate Bill No. 704.**

On motion of Senator Harper, her name was added as sponsor of **Senate Bill No. 705.**

On motion of Senator Massey, her name was added as sponsor of **Senate Bill No. 709.**

On motion of Senator Crowe, his name was added as prime sponsor of **Senate Bill No. 710.**

On motion of Senators Bailey and Ketron, their names were added as sponsors of **Senate Bill No. 749.**

On motion of Senator Ketron, his name was added as sponsor of **Senate Bill No. 816; and Senate Joint Resolution No. 141.**

On motion of Senator Bowling, her name was added as sponsor of **Senate Bill No. 1100.**

On motion of Senator Tracy, his name was added as prime sponsor of **Senate Bill No. 1172.**

On motion of Senators Gresham and Tate, their names were added as sponsors of **Senate Bill No. 1231.**

On motion of Senators Gresham and Crowe, their names were added as sponsors of **Senate Bill No. 1232.**

On motion of Senator Stevens, his name was added as sponsor of **Senate Joint Resolution No. 48.**

On motion of Senator Overbey, his name was added as sponsor of **Senate Joint Resolution No. 142; Senate Resolution No. 19; and House Joint Resolution No. 145.**

On motion of Senator Tracy, his name was added as sponsor of **Senate Joint Resolution No. 148; and House Joint Resolution No. 136.**

On motion of Senator Briggs and Mr. Speaker McNally; and Senators Overbey, Bailey, Beavers, Bell, Bowling, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Niceley, Norris, Roberts, Southerland, Stevens, Tate, Tracy, Watson, Yager and Yarbrow, their names were added as sponsors of **Senate Joint Resolution No. 149.**

On motion of Senators Briggs and Overbey, their names were added as sponsors of **Senate Joint Resolution No. 150.**

On motion of Senator Bell, his name was added as sponsor of **House Joint Resolution No. 36.**

On motion of Senator Green, his name was added as sponsor of **House Joint Resolution No. 135.**

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On motion of Senator Harris, his name was added as sponsor of **House Joint Resolution No. 137.**

On motion of Senators Yarbrow, Harris and Kyle, their names were added as sponsors of **House Joint Resolution No. 138.**

On motion of Senators Harper, Harris and Kyle, their names were added as sponsors of **House Joint Resolution No. 140.**

On motion of Senators Norris and Tate, their names were added as sponsors of **House Joint Resolution No. 141.**

ENGROSSED BILLS

March 2, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 71, 90, 607, 739, 740, 809, 848 and 912; and Senate Joint Resolutions Nos. 139, 140, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 156 and 157; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 2, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 36, 280 and 428; passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

March 2, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 143, 150, 151, 152, 153, 154, 156 and 157; adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

March 2, 2017

MR. SPEAKER: I am directed to notify the Senate that House Resolution No. 65 was adopted by over a two-thirds majority vote of the members elected to the One Hundred Tenth General Assembly.

TAMMY LETZLER,
Chief Clerk

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MESSAGE FROM THE HOUSE

March 2, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 103, substituted for House Bill on same subject and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

March 2, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 135, 136, 137 and 161; concurred in by the House.

TAMMY LETZLER,
Chief Clerk

ENROLLED BILLS

March 2, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bill No. 103; Senate Joint Resolutions Nos. 135, 136, 137 and 161; and Senate Resolution No. 19; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 2, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 145, for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

March 3, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 135, 136, 137, 138, 139, 140 and 141; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

SIGNED

March 2, 2017

The Speaker announced that he had signed the following: Senate Bills Nos. 47, 544 and 590; Senate Joint Resolutions Nos. 135, 136, 137 and 161; and Senate Resolution No. 19.

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SIGNED

March 2, 2017

The Speaker announced that he had signed the following: House Joint Resolution No. 145.

SIGNED

March 3, 2017

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 135, 136, 137, 138, 139, 140 and 141.

MESSAGE FROM THE HOUSE

March 2, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 135, 136, 137 and 161; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

March 2, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 117, 118, 119, 120, 121, 122, 126, 127, 128, 129, 130, 131, 132 and 133; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE GOVERNOR

March 3, 2017

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 117, 118, 119, 120, 121, 122, 126, 127, 128, 129, 130, 131, 132 and 133; with his approval.

DWIGHT E. TARWATER,
Counsel to the Governor

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, March 6, 2017: Senate Joint Resolutions Nos. 158, 159 and 160; and House Joint Resolutions Nos. 142, 144, 146, 147, 148, 149 and 155.

This the 3rd day of March, 2017.
MASSEY, Chairperson

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**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, March 6, 2017: Senate Bills Nos. 65, 101, 108, 231, 285, 417, 426, 433, 463, 681, 694, 889, 995, 1013, 1201 and 1231; Senate Joint Resolutions Nos. 35, 83, 107, 123, 124 and 125; and Senate Resolution No. 16.

This the 3rd day of March, 2017.
MASSEY, Chairperson

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, March 6, 2017: Senate Bills Nos. 116, 242, 341, 362, 393, 428, 461, 524, 551, 690, 709, 994, 1195, 1229, 1232, 1233 and 439; and Senate Joint Resolution No. 48.

This the 3rd day of March, 2017.
MASSEY, Chairperson

ADJOURNMENT

Senator Norris moved the Senate adjourn until 4:00 p.m., Monday, March 6, 2017, which motion prevailed.